



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB1269

Introduced 2/10/2009, by Sen. Heather Steans

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Lead Sinker Act. Prohibits any person from selling, supplying, distributing or offering to sell, supply, or distribute lead sinkers and lead jigs. Prohibits the use of leadsinkers and lead jigs to take fish in freshwater lakes, ponds, rivers, streams, brooks, and similar bodies of water over which the Department of Natural Resources ("the Department") has jurisdiction under the Rivers, Lakes, and Streams Act. Requires the Department, after consulting with the Illinois State Board of Education, to institute an educational program that meets certain requirements. Requires the Department to (i) notify the public about the Act's prohibitions; (ii) enforce the Act; (iii) confiscate, under certain circumstances, lead jigs or lead sinkers that it finds in the course of enforcing the Act; and (iv) suspend, for not more than 6 months, the hunting and fishing privileges of a person who uses a lead sinker or lead jig to take fish in violation of the Act. Provides fines for violations. Effective one year after becoming law.

LRB096 08690 JDS 18820 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Lead  
5 Sinker Act.

6 Section 5. Legislative findings and declarations. The  
7 General Assembly finds and declares the following:

8 (a) The wildlife of Illinois is a valuable natural resource  
9 and an integral part of the economic and social fabric of our  
10 citizenry;

11 (b) A review of the available scientific literature  
12 indicates that lead sinkers and lead jigs pose a significant  
13 hazard to water birds that accidentally ingest them;

14 (c) Lead is a toxic metal known to cause many health  
15 problems in water birds, including an increasing  
16 susceptibility to disease, predation, and infection. A single  
17 lead sinker can cause the death of a water bird within two  
18 weeks;

19 (d) Lead has been linked to human health problems,  
20 including brain damage, mental retardation, behavior problems,  
21 anemia, liver and kidney damage, hearing loss, hyperactivity,  
22 developmental delays, other physical and mental problems, and,  
23 in extreme cases, death. Lower IQ scores, slower development,

1 and more attention problems have been observed in children  
2 exposed to lead;

3 (e) Lead sinkers are small and easily swallowed, and they  
4 pose a toxic hazard to children. Furthermore, many anglers make  
5 their own sinkers or make sinkers in their home for sale to  
6 others. If proper precautions are not taken, lead vapors and  
7 dust can impact anyone within the household; and

8 (f) Effective and comparably-priced alternatives to lead  
9 sinkers and lead jigs exist, and it would be irresponsible to  
10 continue to allow the use of toxic products and the deposition  
11 of those products in our waters.

12 Section 10. Definitions. For the purposes of this Act, the  
13 terms below are defined as follows:

14 "Department" means the Department of Natural Resources.

15 "Lead jig" means any lead weighted fishing hook that  
16 measures less than 1.5 inches along its longest axis and that  
17 contains one ounce of lead or less.

18 "Lead sinker" means any device that is designed to be  
19 attached to fishing line for the purpose of sinking the line,  
20 and that contains one ounce of lead or less.

21 "Person" means any human, organization, agency,  
22 corporation, or other entity.

23 Section 15. Prohibition on sale or distribution. No person  
24 shall sell, supply, distribute or offer to sell, supply, or

1 distribute any lead sinker or lead jig.

2 Section 20. Restriction on use. No person shall use any  
3 lead sinker or lead jig to take fish in a freshwater lake,  
4 pond, river, stream, brook, or similar body of water over which  
5 the Department has jurisdiction under Section 5 of the Rivers,  
6 Lakes, and Streams Act.

7 Section 25. Educational program.

8 (a) To discourage the use of lead, the Department, after  
9 consulting with the Illinois State Board of Education, shall,  
10 within one year after the effective date of this Act, institute  
11 an educational program that provides all of the following:

12 (1) Press releases, articles, or both for distribution  
13 to the news media;

14 (2) An informational brochure for distribution at  
15 training programs sponsored by the Department;

16 (3) Informational videos for use by television  
17 outlets;

18 (4) Informational posters for posting at boat-access  
19 kiosks and on bulletin boards;

20 (5) A mobile display for use at public events; and

21 (6) Any other educational tool or information that the  
22 Department may find useful in its efforts to educate the  
23 public about the hazards associated with the use of lead  
24 products.

1           (b) The purpose of the educational program required under  
2 subsection (a) of this Section is to inform the public about  
3 the adverse, though unintended, effects of lead on wildlife;  
4 ways to reduce the introduction of lead into the environment  
5 through personal action; the potential risk to public health  
6 from working with lead; and the availability of alternatives to  
7 lead jigs and sinkers.

8           (c) The Department may request appropriations from the  
9 General Assembly to support the educational program required by  
10 this Section.

11           Section 30. Enforcement and Penalties.

12           (a) The Department must do all of the following:

13               (1) Notify the citizens of the State about the  
14 prohibitions in Sections 15 and 20 of this Act.

15               (2) Enforce this Act.

16               (3) Confiscate, after providing the required due  
17 process hearing, any lead jig or lead sinker found in the  
18 course of enforcing this Act.

19               (4) Suspend, for not more than 6 months, the hunting  
20 and fishing privileges of a person who violates Section 20  
21 of this Act.

22           (b) A person who violates Section 15 of this Act is guilty  
23 of a business offense and must pay a fine of \$1,000. Each day  
24 during which a person violates Section 15 of this Act  
25 constitutes a separate offense.

1           (c) A person who violates Section 20 of this Act is guilty  
2 of a business offense and must pay a fine not to exceed \$100.

3           Section 99. Effective date. This Act takes effect 1 year  
4 after becoming law.